

Department of Planning and Budget 2011 Fiscal Impact Statement

1. Bill Number: HB1457

House of Origin	<input type="checkbox"/> Introduced	<input checked="" type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Marshall, R.G.

3. Committee: General Laws

4. Title: Freedom of Information Act; violations and penalties.

5. Summary: The substitute to this bill removes the statement from the introduced bill that provided that public employees may be terminated or otherwise disciplined for knowing and willful violations of Freedom of Information Act (FOIA). The bill clarifies existing law that officers, employees, and members of public bodies may be subject to civil penalties for knowing and willful violations of FOIA. The substitute also raises the civil penalties for such violations.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Insignificant revenue impact (see item 8)

8. Fiscal Implications: Officers, employees, and members of public bodies are currently required under existing FOIA legislation to comply with FOIA. According to the Virginia FOIA Council, knowing and willful violations are not common in Virginia. Although the bill raises the civil penalties, the bill is expected to result in an insignificant positive revenue impact to the State Literary Fund due to the infrequency of such violations.

9. Specific Agency or Political Subdivisions Affected: All state agencies and institutions of higher education

10. Technical Amendment Necessary: No

11. Other Comments: None

Date: February 2, 2011

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c: Secretary of Administration